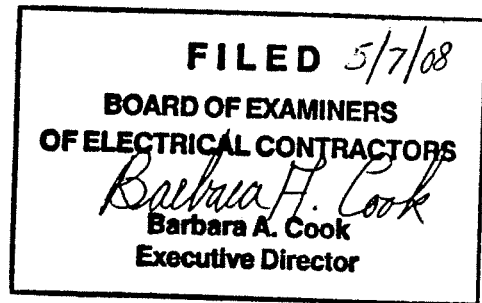


ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101



By: Ginger R. Provost
Deputy Attorney General
Tel. (973) 648-4447

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF
ELECTRICAL CONTRACTORS

IN THE MATTER OF THE
LICENSE OF

CARLOS SANTOS
License #11359

TO PRACTICE ELECTRICAL
CONTRACTING IN THE STATE
OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors ("the Board") upon receipt of information which the Board has reviewed, including a Final Order of Discipline which was entered by the Board on December 6, 2006 ("FOD") based upon a finding that respondent engaged in electrical contracting without a valid business permit in violation of N.J.S.A. 45:5A-9 and that he failed to immediately return his pressure seal upon the expiration of his business permit in violation of N.J.A.C. 13:31-3.3. Respondent was a licensed electrical contractor whose business permit expired in 1994 and whose license as an electrical contractor expired in 1997. The FOD included the imposition of a civil penalty of \$2,500.00 and respondent was to forward his pressure seal to the Board within ten (10) days of the

entry of the FOD. To date, respondent has not paid the civil penalty. Subsequent to the filing and service of the Final Order of Discipline, the Board received an Affidavit of Carlos Santos in reference to the final order of discipline dated March 19, 2007 (a copy of which is attached as Exhibit A) in which respondent indicated that he ceased practicing electrical contracting and engaging in the business as an electrician as of November 3, 2005, that the companies at which he practiced, CMS Electric and its successor Eagle Rock Electric, L.L.C. no longer exist and that the assets of the companies were dissolved and distributed pursuant to his divorce proceedings. The Affidavit further states that respondent recalls returning the pressure seal to the Board and received the signed "green receipt card" but no longer has it and is unable to obtain a copy from the Post Office. Respondent furthermore contends that since he has lost his "means of livelihood," he is unable to satisfy the financial obligations imposed by the Board. Furthermore, respondent's affidavit states that he did not receive any notices from the Board after testifying at an investigative inquiry in November of 2005 until he received the FOD despite his claim that he promptly notified the Board of his change of address. Based upon the information concerning respondent's hardship as outlined in his affidavit and the indication that respondent has complied with the Board's order to return his pressure seal, the Board finds that sufficient cause exists to enter into this Order, which the Board finds sufficiently protective of the public health, safety and welfare; and respondent agreeing to waive any right to further proceedings and agreeing to the terms of this Order,

IT IS, THEREFOR ON THIS ____ day of _____, 2008,

ORDERED that:

1. Respondent shall cease and desist from violating N.J.S.A. 45:5A-9 and shall refrain from engaging in the business of electrical contracting, unless and until respondent applies for, and is granted, an electrical contractor license and business permit. The Board shall not issue an electrical contractor license or business permit to respondent unless all financial obligations to the Board have been satisfied. Should respondent wish to apply for reinstatement of his electrical contractor license, pursuant to N.J.S.A. 45:1-7.1, he must successfully complete the examination required for initial licensure and submit a renewal application and payment of an additional reinstatement fee.

2. The civil penalty imposed in the Final Order of Discipline dated October 4, 2006 is hereby reduced to \$2,000.00 on condition that respondent complies with the following provisions:

a. Contemporaneously with his signing of this consent order, respondent shall submit a certified check or money order in the amount of \$500.

b. No later than the thirtieth (30th) day after respondent signs this Order, respondent shall submit a second certified check or money order in the amount of \$500.00 and continue to do so every thirty days thereafter until the full \$2,000.00 penalty is paid in full.

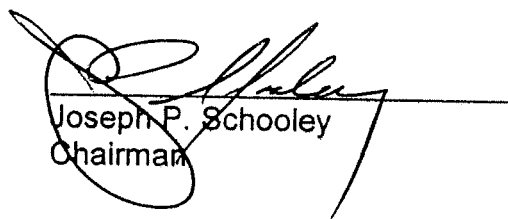
c. Respondent shall forward all payments to the attention of Barbara A. Cook, Executive Director, Board of Examiners of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, Newark, NJ 07101.

d. In the event that any installment payment hereunder is not made within fifteen (15) days of its due date, the civil penalty of \$2,500.00 imposed in the Final Order of Discipline dated October 4, 2006 is reinstated and all unpaid amounts, including the outstanding balance due and payable under this Consent Order, shall be accelerated and deemed due and payable immediately without the need for notice or presentment, with interest calculated in accordance with R. 4:42-11 from the date of the original default in payment on the Order of December 6, 2006, and with the State's costs of collection.¹

3. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action being taken by the Board.

4. Should respondent violate any provisions of the Electrical Contractors Licensing Act of 1962, N.J.S.A. 45:5A-1 et seq., or the regulations, N.J.A.C. 13:31-1.1 et seq., he may be subject to enhanced penalties as a second violation, without prejudice to respondents' right to present evidence in mitigation and affirmative defenses.

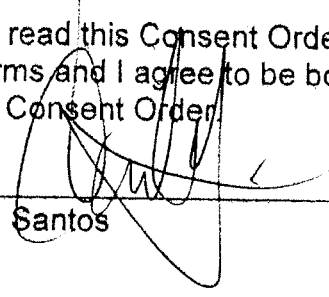
STATE BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS



Joseph P. Schooley
Chairman

¹The post-judgment interest rate for the calendar year 2006 is 2.0%; for 2007 is 4.0% and 2008 is 5.5% pursuant to R. 4:42-11.

I have read this Consent Order and understand
the terms and I agree to be bound by the terms
of this Consent Order.



Carlos Santos

4-30-08

Date

EXHIBIT A

**LAW OFFICE OF
DEBRA L. NICHOLSON**

1 Main Street
Sparta, New Jersey 07871
973-729-3988
Attorney for Carlos Santos

IN THE MATTER OF THE
LICENSE OF

CARLOS SANTOS,
License #11359

TO PRACTICE ELECTRICAL
CONTRACTING IN THE STATE
OF NEW JERSEY

-vs-

ISABELLE BARNES, JOHN
DOES 1-4 (fictitious
names) and ABC
CORPORATIONS 1-4
(fictitious names),
Defendants.

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC
SAFETY; DIVISION OF CONSUMER
AFFAIRS; BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS

Administrative Action

AFFIDAVIT OF CARLOS SANTOS
IN REFERENCE TO THE FINAL
ORDER OF DISCIPLINE

I, CARLOS SANTOS, of full age says:

1. I was the holder of a license number 11359, subject of this Final Order of Discipline, and, as such, am familiar with the facts of this case.

2. At the conclusion of the November 3, 2005 hearing, I was informed that I was no longer licensed to perform electrical contracting due to a technical violation of payment for my license, though I was fully compliant with every other portion of my licensure by the Board.

3. In addition, the Board indicated that they were not inclined to hear my previously provided petition for reinstatement and, as was indicated at the time of my hearing and by way of correspondence, I withdrew my application for reinstatement. I have not re-applied or re-activated my request for reinstatement since that time.

4. The companies of CMS Electric or its successor, Eagle Rock Electric, L.L.C. no longer exist, nor do I actively engage in any business activity contrary to the Board's determinations at my hearing on November 3, 2004.

5. Eagle Rock Electric, L.L.C. was dissolved in accordance with my divorce proceedings (held in escrow until said proceedings' Final Order) before the Hon. James Farber, J.S.C., whereby the properties/equipment held by the limited liability company were distributed pursuant to the terms of that Order of the Court, which was dated April 1, 2005.

6. During or about February 2005, by certified mail from the U.S. Post Office in the Borough of Franklin (Sussex County), I returned the "pressure seal" referenced within the Board's Final Order of Discipline to their offices and I personally recall receiving the green receipt card back from the Post Office, indicating receipt by the Board's offices. Upon receipt of the Board's notice and Order, I immediately contacted the Postmaster of the Borough of Franklin and was apprised that they only maintain their records for a period of 2 years. Due to my

divorce, my personal records during this timeframe are unavailable to me and I am unable to locate these documents, which are now more than 2 years old at this time.

7. Furthermore, I can attest that this seal (or, for that matter, any other seal which may be referenced to therein) was not used by me or any other third parties since the November 2004 Hearing, as I believed my license to be suspended and indeed forfeit as a result of the Board's determination on that date.

8. I do not now, nor have I since February 2005, retain possession of any seal referenced within the Board of Examiner's Final Order of Discipline. That is in the hands of the Board.

9. At the time of the Hearing in November 2004, I personally apprised the Board of my present address, one I have maintained from then to present, so I am confused as to why I have not received any notices or correspondence from the Board to date, except the Final Order of Discipline.

10. As the Board is quite aware, I have lost my means of livelihood and income and, at present, am unable to meet the fines imposed by way of Final Order. I thereby request reconsideration concerning the terms of the penalties imposed therein and would request that the Board acknowledge its receipt of the pressure seal, as mailed to its attention in February 2004.

11. It is requested that the Final Order of the Board of Examiners be set aside in light of the foregoing and the fact that the notices/inquiries by the Board to date (excepting the Final Order of Discipline) have been/were forwarded to a non-active mailing address and the Board had my correct mailing address (and had so since November 2004), and that the Board acknowledge the facts presented within this Affidavit for the purpose of reconsideration of same.

I understand that this Affidavit is made in support of my application for reconsideration of the Final Order of Discipline in this matter and that the Court will rely upon the truth of these statements and that if these statements are willfully false, I am subject to punishment.



CARLOS SANTOS

Dated: 3/19/07

In the presence of
Daniel A. Colfax
Attorney at Law in the
State of New Jersey

